

Docket: T2316-907194

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **VIA FAX: 703-872-9310**  
STUDHOLME et al. :  
Serial No.: 09/849,240 : Examiner: Patricia Hightower  
Filed: May 7, 2001 : Group Art Unit: 1711  
For: Process for Preparing Polymeric Fibers Based :  
On Blends of Two or More Polymers :

McLean, Virginia  
January 2, 2003

*#9 Appeal  
Refiled  
1/10/03*  
**OFFICIAL**

**SUPPLEMENTAL RESPONSE TO OFFICIAL ACTION  
(RESTRICTION REQUIREMENT)**

**FAX RECEIVED**

Assistant Commissioner of Patents  
Washington, D.C. 20231

JAN 03 2003

**GROUP 1700**

Sir:

Further to the response filed December 18, 2002, Applicant notes that the passage quoted from MPEP §803, i.e., that “[I]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” (MPEP §803, emphasis added).

Applicant recently received the “Written Opinion” mailed in connection with the corresponding PCT application, No. PCT/US01/49386. That Written Opinion contains an initial examination on the merits of all of Claims 1-104. In addition, the International Search Report was directed to all 104 claims.

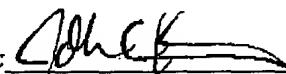
Since all of Claims 1-104 have been searched and examined in the corresponding PCT application, there is no serious burden presented in examining this

same set of claims in the U.S. application. In the absence of a serious burden, the  
MPEP instructs that the entire application must be examined.

Accordingly, reconsideration and withdrawal of the restriction  
requirement and the election of species requirement are merited, and such action is  
earnestly solicited.

Respectfully,

MILES & STOCKBRIDGE P.C.

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